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Our Case No. 9800080-0048

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mehraban *et al.*

Serial No.: 09/703,350

Filing Date: October 31, 2000

For: DIFFERENTIALLY-EXPRESSED
GENES INVOLVED IN
ANGIOGENESIS, THE
POLYPEPTIDES ENCODED
THEREBY, AND METHODS OF
USING THE SAME

Examiner Gary B. Nickol, Ph.D.

Group Art Unit No.: 1642

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PETITIONS OFFICE

RESPONSE TO NOTICE OF NON-RESPONSIVE ELECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Responsive to the Official Actions of August 5, 2002 and January 9, 2003, Applicants elect, with traverse, Set 19, Group 526 (PA:23), claims 56-57, drawn to a method for inhibiting angiogenesis in a mammal, comprising administering one anti-PA antibody, classified in class 424, subclass 130.1.

RESTRICTED GROUPS

The application has been restricted into 564 groups, divided into sets, as follows:

Groups 1-27 (Set 1):

Claims 1-7, drawn to a method of assessing the efficacy of an angiogenic disorder treatment in a subject, comprising providing from the subject a test cell population capable of expressing one nucleic acid selected from PA:1-27, wherein the test cell population is provided *ex vivo* or *in vitro*, classified in class 434, subclass 6.

Groups 28-55 (Set 2):

Claims 1-5, 8, drawn to a method of assessing the efficacy of an angiogenic disorder treatment in a subject, comprising providing from the subject a test cell population capable of expressing one nucleic acid selected from PA:1-27, wherein the test cell population is provided *in vivo*, classified in class 424, subclass 9.1.

Groups 56-83 (Set 3):

Claims 9-15, 27-29, drawn to a method of diagnosing an angiogenic disorder in a subject, comprising providing from the subject a test cell population capable of expressing one nucleic acid selected from PA:1-27, wherein the test cell population is provided *in vitro* or *ex vivo*, classified in class 424, subclass 9.1.

Groups 84-111 (Set 4):

Claims 9-13, 16, drawn to a method of diagnosing an angiogenic disorder in a subject, comprising providing from the subject a test cell population capable of expressing one nucleic acid selected from PA:1-27, wherein the test cell population is provided *in vivo*, classified in class 424, subclass 9.1.

Groups 112-139 (Set 5):

Claims 17-26, drawn to a method of identifying a test therapeutic agent for treating an angiogenic disorder in a subject, comprising contact with a test therapeutic agent and providing from the subject a test cell population capable of expressing one nucleic acid selected from PA:1-27, classified in class 424, subclass 9.2.

Groups 140-167 (Set 6):

Claims 30-34, drawn to a method of treating an angiogenic disorder, comprising administering to a patient an agent that modulates the expression or activity of one nucleic acid selected from PA:1-27, wherein said agent is an antisense molecule, classified in class 514, subclass 44.

Groups 168-195 (Set 7):

Claims 30-34, drawn to a method of treating an angiogenic disorder, comprising administering to a patient an agent that modulates the expression or activity of one nucleic acid selected from PA:1-27, wherein said agent is selected from the group consisting of a peptide, a PA polypeptide agonist, a PA polypeptide antagonist, or a peptidomimetic, classified in class 424, subclass 184.1.

Groups 196-223 (Set 8):

Claims 30-34, drawn to a method of treating an angiogenic disorder, comprising administering to a patient an agent that modulates the expression or activity of one nucleic acid selected from PA:1-27, wherein said agent is selected from the group consisting of a small molecule or other drug, classified in class 514, subclass 1.

Groups 224-251 (Set 9):

Claims 30-34, drawn to a method of treating an angiogenic disorder, comprising administering to a patient an agent that modulates the expression or activity of one nucleic acid selected from PA:1-27, wherein said agent is selected from the group consisting of an antibody, classified in class 424, subclass 130.1.

Groups 252-279 (Set 10):

Claim 35, drawn to a kit, comprising one or more reagents for detecting one nucleic acid sequences selected from the group consisting of PA:1-27, classified in class 435, subclass 810.

Groups 280-307 (Set 11):

Claims 36, 42-46, 49-50, drawn to an isolated nucleic acid probe to detect one nucleic acid sequence of PA:1-27, isolated nucleic acids with at least 75% identity to one nucleic acid of PA:1-27, and one therapeutic composition thereof including additional active ingredients, classified in class 536, subclass 23.5; class 514, subclass 44.

Groups 308-335 (Set 12):

Claims 37-41, 47-48, drawn to an isolated polypeptide at least 80% identical to one polypeptide, comprising an amino acid sequence of PA:1-27, and one therapeutic compositions thereof, including additional active ingredients, classified in class 530, subclass 350; class 514, subclass 2.

Groups 336-363 (Set 13):

Claims 51-52, drawn to one therapeutic agonist or antagonist of a PA polypeptide and an additional active ingredient, classified in class 514, subclass 1.

Groups 364-391 (Set 14):

Claims 53, drawn to a kit, comprising one therapeutic composition selected from the group consisting of one PA polypeptide, or one agonist of a PA polypeptide or one antagonist of a PA polypeptide, classified in class 435, subclass 810.

Groups 392-419 (Set 15):

Claim 54, drawn to a method of treating an angiogenic disorder, comprising administering one therapeutic compound, comprising one polypeptide, classified in class 424, subclass 184.1.

Groups 420-447 (Set 16):

Claim 55, drawn to a method of treating an angiogenic disorder, comprising administering one therapeutic compound, comprising one nucleic acid molecule, classified in class 514, subclass 44.

Groups 448-475 (Set 17):

Claim 56-57, drawn to a method for inhibiting angiogenesis in a mammal, comprising administering one PA polypeptide, or one agonist of a PA polypeptide or one antagonist of a PA polypeptide, classified in class 424, subclass 184.1.

Groups 476-503 (Set 18):

Claim 58-59, drawn to a method for stimulating angiogenesis in a mammal, comprising administering one PA polypeptide, or one agonist of a PA polypeptide or one antagonist of a PA polypeptide, classified in class 424, subclass 184.1.

Groups 504-531 (Set 19):

Claim 56-57, drawn to a method for inhibiting angiogenesis in a mammal, comprising administering one anti-PA antibody, classified in class 424, subclass 130.1.

Groups 532-559 (Set 20):

Claim 58-59, drawn to a method for stimulating angiogenesis in a mammal, comprising administering one anti-PA antibody, classified in class 424, subclass 130.1

Group 560 (Set 21):

Claims 60-62, 65, drawn to an isolated nucleic acid molecule, comprising a nucleic acid sequence at least 75% identical to a nucleic acid sequence encoding the polypeptide of SEQ ID NO:72, a vector thereof, a host cell thereof, and a pharmaceutical composition thereof, classified in class 536, subclass 23.5; class 435, subclasses 320.1, 325; class 514, subclass 44.

Group 561 (Set 22):

Claims 63, 66, drawn to an isolated polypeptide at least 80% identical to a polypeptide, comprising an amino acid sequence of SEQ ID NO:72, and pharmaceutical composition thereof, classified in class 530, subclass 350; class 514, subclass 2.

Group 562 (Set 23):

Claim 64, drawn to an antibody and fragments thereof, classified in class 530, subclass 387.1.

Group 563 (Set 24):

Claim 67, drawn to a method of detecting a nucleic acid in a sample, comprising contacting the sample with a compound that selectively binds to the nucleic acid, classified in class 435, subclass 6.

Group 564 (Set 25):

Claim 68, drawn to a method of detecting a polypeptide in a sample, comprising contacting the sample with a compound that selectively binds to the polypeptide, classified in class 435, subclass 4.

Applicants elect, with traverse, Set 19, Group 526 (PA:23), claims 56-57, drawn to a method for inhibiting angiogenesis in a mammal, comprising administering one anti-PA antibody, classified in class 424, subclass 130.1.